

Please Post!

PECFA UPDATE #8

MORE IMPORTANT CLAIM SUBMITTAL INFORMATION!

EFFECTIVE IMMEDIATELY

Many may have already heard that the PECFA program has experienced a major change in the claim submittal process. Due to staff reductions, the Department of Natural Resources (DNR) will not review and provide approval (Form 4's) for the activities listed below.

1. Completion of Site Investigation and proposed Remedial Action Plan (Phase 1),
2. Completion of a DILHR Approved Emergency Action,
3. When \$100,000 of unreimbursed costs have been incurred, and
4. Completion of a DNR and/or DILHR ordered Site Investigation with no Remedial Action.

The DNR will review and provide approval (Form 4's) for;

1. Completion of Remedial Action activities, and
2. Annual Maintenance, Monitoring and Operation.

The Department believes that the changes in the DNR Form 4 review process can have a positive effect upon the PECFA program, the DNR LUST program and the owners and operators of PECFA eligible tank systems. Claims can be submitted to PECFA in a shorter time period by eliminating the DNR backlog of Form 4 reviews. Additionally, the self implementing concept of Chapter NR 700 will permit many remediations to proceed without direct DNR oversight.

The Department has created a self certification process to replace the DNR Form 4 review. The new *DILHR Award Payment Certification Form* (Form 4-A) will be used to certify, by the signatures of the claimant and the consultant, that;

1. The site investigation has;
 - A. Defined the nature, degree and extent of contamination,
 - B. Defined the source or sources of contamination,
 - C. Determined whether a remedial action is necessary at the site,
 - D. Identified and evaluated remedial alternatives, and
 - E. Allowed a remedial alternative to be selected.
2. The DILHR defined emergency action has been abated,
3. \$100,000 of unreimbursed costs have been incurred per occurrence, or
4. The DNR and/or DILHR ordered site investigation with no remedial action has been completed.

The claimant and consultant must sign and date the *DILHR Award Payment Certification Form* (Form 4-A) before a claim will be considered complete. **Costs for investigation, remedial action plan development and DILHR defined emergency activities performed after the earliest signature date on the *DILHR Award Payment Certification* form will not be eligible for PECFA reimbursement.** Investigation costs following the abatement of a DILHR approved emergency would be eligible for reimbursement. If additional investigation or remedial action plan development is ultimately required by the DNR, eligibility will be determined at the time of claim review. The Department will rely upon and hold the claimant and consultant to the certification they provide.

The transition procedure listed below is only for claims that will not receive DNR review;

1. Claims submitted before the date of this letter, will receive from the Department, a new three-part *DILHR Award Payment Certification* form in 30-45 days. The new form must be completed and returned to the PECFA program.
2. Claims submitted between the date of this letter and the date the new three-part form is available, must use the attached **temporary** *DILHR Award Payment Certification* form. The claim must be submitted with the **temporary** form with original signatures. The claimant and consultant may want to place a copy of the completed **temporary** form in their files.
3. Claims to be submitted after the new three-part forms are available (30-45 days) must obtain the new form. Please provide to the Department; a short written request, the PECFA Claim Number, and a self addressed 9.5" X 4" (size 10) envelope.
4. Claim submittal packages distributed after the date of this letter will contain the **temporary** form until the new three-part *DILHR Award Payment Certification* form is available.

5. Claims submitted after the date of this letter without the **temporary** *DILHR Award Payment Certification* form, new three-part *DILHR Award Payment Certification* form or a DNR *Remedial Action and Operation/Maintenance and Environmental Monitoring Review* (Form 4-B) will be returned to the claimant as incomplete.

STORAGE OF PECFA FILES OFF-SITE

PECFA claims that meet the following criteria will be sent to the Department Of Administration Central Storage facility;

1. Completed remediations (no further action required), and
2. Not in an appeal process.

Claims meeting the criteria will be retained at the PECFA office for 60 days following either the final reimbursement or the decision on the appeal. Claim files, which are stored, will be destroyed after 36 months of off-site storage.

attachments